

### REMARKS

The Examiner has rejected claim 12 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The applicant has cancelled claim 12.

The Examiner has rejected claim 12 under 35 U.S.C. 112, first paragraph, as failing to comply with written the enablement requirement. The applicant has cancelled claim 12.

The Examiner has rejected claims 3 through 9 and 12 through 32 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention. The applicant has cancelled claims 1, 2 and 12. The applicant has added claim 33 as the new independent claim. Claim 33 includes the elements and limitations of claims 1 and 2.

The Examiner has rejected claims 1, 9 through 11 and 17 under 35 U.S.C. 102(b) as being clearly anticipated by Walt. Walt teaches a fiber optic sensor that includes a plurality of fiber optical strands forming a unitary imaging fiber optic array. The fiber optic sensor is able to conduct multiple assays and analysis concurrently using a plurality of different dyes immobilized at individual

spatial positions on the surface of the sensor. There is also an apparatus for making precise optical determinations.

The Examiner has rejected claim 1 under 35 U.S.C. 102(b) as being clearly anticipated by Kroy. The applicant has cancelled claim 1.

The Examiner has rejected claims 2, 7 and 13 through 16 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen. The applicant has cancelled claim 2 and has added claim 33 as the new independent claim. Kroy teaches a CCD array of sensor in the same arrangement as the microcavities. The applicant respectfully disagrees and contends that Kroy does not teach that each sensor includes at least light source.

The Examiner has rejected claims 3 and 6 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied to claim 2 above, now claim 33 from which claims 3 and 6 depend, and further in view of Berndt. The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The Examiner has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied to claim 2 above, now claim 33 from which claim 4 depends, and further in view of Berndt and Hosokawa.

The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The Examiner has rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied to claim 2 above, now claim 33 from which claim 5 depends, and further in view of Berndt and Waymouth. The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The Examiner has rejected claims 8 through 11 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied to claim 2 above, now claim 33 from which claims 8 through 11 depend, and further in view of Aktik. The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The Examiner has rejected claims 17 through 19, 23, 24, 28 and 29 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied to claim 2 above, now claim 33 from which claims 17 through 19, 23, 24, 28 and 29 depend and further in view of Pope. The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The Examiner has rejected claims 20 through 22, 25 through 27 and 30 through 32 under 35 U.S.C. 103(a) as being unpatentable over Kroy in view of Hamblen as applied

to claim 2 above, now claim 33 from which claims 20 through 22, 25 through 27 and 30 through 32, depend and further in view of Torobin. The applicant respectfully disagrees and contends that claim 33 is allowable over Kroy in view of Hamblen.

The applicant believes that his patent application is now in condition for allowance and requests a speedy action to that end.

Date: June 7, 2005

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "W. Edward Johansen", written over the printed name.

W. Edward Johansen

Registration No. 26,744